

BAKER BOTTS LLP

DTI7 Rec'd PCT/PTO 23 JUL 2002

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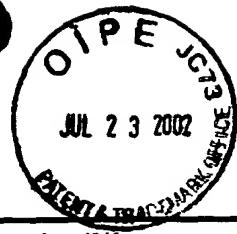
Please type a plus sign (+) inside this box →

TRANSMITTAL FORM <i>(Use for all correspondence after initial filing)</i>		Application Number	09/937,204
		Filing Date	March 22, 2000
		First Named Inventor	Fritig et al.
		Group Art Unit	TBA
		Examiner Name	TBA
Total Number of Pages in This Submission	25	Attorney Docket Number	A34638-PCT-USA 072667.0176

ENCLOSURES (check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Substitute Sequence Listing in paper (13 pages) and computer readable form (1 diskette); Copies of December 13, 2001 Response and PTO-stamped return postcard (5 pages)	
Remarks <input type="checkbox"/>			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual name	BakerBotts LLP 30 Rockefeller Plaza New York, NY 10112		
Signature	<i>Alicia A. Russo</i> Att Name: Alicia A. Russo PTO Reg: 46,192		
Date	July 19, 2002		

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: July 19, 2002			
Typed or printed name	Alicia A. Russo		
Signature	<i>Alicia A. Russo</i>	Date	July 19, 2002



BAKER BOTTS LLP

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\\$) 0

Complete if Known

Application Number	09/937,204
Filing Date	March 22, 2000
First Named Inventor	Fritig et al.
Examiner Name	TBA
Group Art Unit	TBA
Attorney Docket No.	A34638-PCT-USA 072667.0176

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **02-4377**

Deposit Account Name **Baker Botts LLP**

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	For filing a request for ex parte reexamination	
920*	920*	Requesting publication of SIR prior to Examiner action	
1,840*	1,840*	Requesting publication of SIR after Examiner action	
110	55	Extension for reply within first month	
400	200	Extension for reply within second month	
920	460	Extension for reply within third month	
1,440	720	Extension for reply within fourth month	
1,960	980	Extension for reply within fifth month	
320	160	Notice of Appeal	
320	160	Filing a brief in support of an appeal	
280	140	Request for oral hearing	
1,510	1,510	Petition to institute a public use proceeding	
110	55	Petition to revive - unavoidable	
1,280	640	Petition to revive - unintentional	
1,280	640	Utility issue fee (or reissue)	
460	230	Design issue fee	
620	310	Plant issue fee	
130	130	Petitions to the Commissioner	
50	50	Processing fee under 37 CFR 1.17(q)	
180	180	Submission of Information Disclosure Stmt	
40	40	Recording each patent assignment per property (times number of properties)	
740	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
740	370	For each additional invention to be examined (37 CFR § 1.129(b))	
740	370	Request for Continued Examination (RCE)	
900	900	Request for expedited examination of a design application	

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
740	370	Utility filing fee	
330	165	Design filing fee	
510	255	Plant filing fee	
740	370	Reissue filing fee	
160	80	Provisional filing fee	
SUBTOTAL (1) (\$)		0	

2. EXTRA CLAIM FEES

Total Claims	20 ** =	[0]	X	[]	= []	Fee Paid
Independent Claims	3 ** =	[0]	X	[]	= []	
Multiple Dependent						

Large Entity Small Entity

Fee (\$)	Fee (\$)	Fee Description
18	9	Claims in excess of 20
84	42	Independent claims in excess of 3
280	140	Multiple dependent claim, if not paid
84	42	** Reissue independent claims over original patent
18	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		0

*or number previously paid, if greater; For Reissues, see above

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) **0**

SUBMITTED BY

Complete if applicable

Name (Print/Type)	Alicia A. RUSSO	Registration No. (Attorney/Agent)	46,192	Telephone	(212) 408-2627
Signature				Date	July 19, 2002

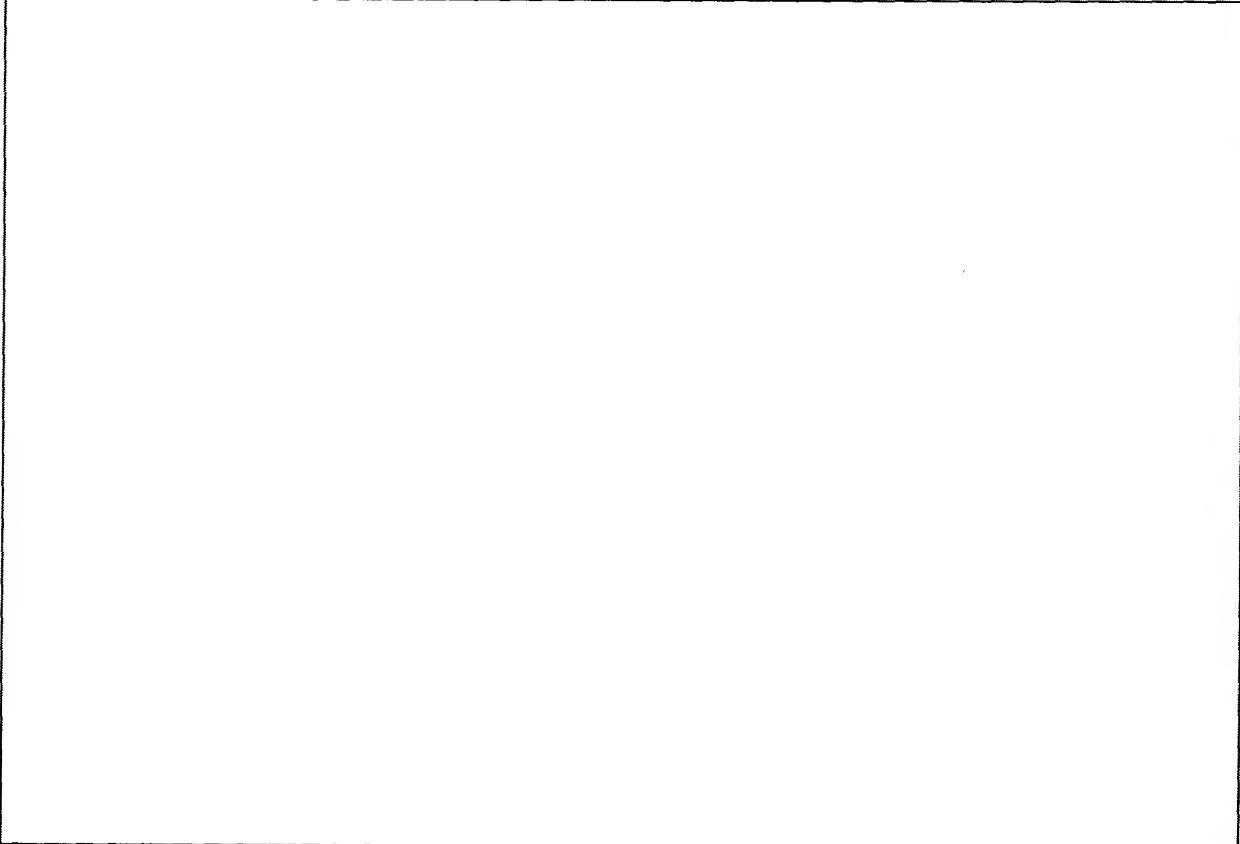
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

BAKER BOTTS LLP

Attorney Docket Number: A34638-PCT-USA 072667.0176

Title: INDUCIBLE COMTII PROMOTER, CHIMERA GENE CONTAINING SAME AND TRANSFORMED
PLANTS

Use Space Below for Additional Information:

A large, empty rectangular box with a thin black border, positioned below the "Use Space Below for Additional Information:" instruction. It is intended for the user to provide additional details or documentation.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/937,204	Bernard Fritig	A34638-PCT USA

Janet M. MacLeod, Ph.D.
 Baker Botts
 30 Rockefeller Plaza
 New York, NY 10112-0228



INTERNATIONAL APPLICATION NO.	
PCT/FR00/00714	
I.A. FILING DATE	PRIORITY DATE
03/22/2000	

CONFIRMATION NO. 6438
 371 FORMALITIES LETTER



OC00000008327449

Date Mailed: 06/21/2002

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
 - **APPLICANT MUST PROVIDE:**
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov
-
- This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

KAYA L LEWIS BALTIMORE

Telephone: (703) 305-3695

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/937,204	PCT/FR00/00714	A34638-PCT USA

FORM PCT/DO/EO/916 (371 Formalities Notice)

In Re:	Fritig et al. (Applicant)	09/937,204 (Serial No.)
In Re:	Response*	Dec. 13, 2001 A34638-PCT-USA (072667.0176)
	(Title of Paper)	(Date) (File No.)

The stamp of the Patent Office Mail Room hereon acknowledges the receipt of the above-identified papers on the date indicated by such stamp.

EXPRESS MAIL NUMBER EF3739744US

Response to Notification of Missing Requirements (Original plus two copies); Transmittal Letter; Combined Declaration and Power of Attorney (One copy for each of five inventors); Sequence Listing/Declaration (Original plus two copies); Paper copy of Sequence Listing; Computer-readable copy of Sequence Listing; Return Receipt Postcard; COPY OF NOTIFICATION



MISSING PARTS

REC'D PCT/US 13 DEC 2001
NO RESPONSE